

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2004-90-W/S - ORDER NO. 2004-433

SEPTEMBER 17, 2004

IN RE: Application of Total Environmental)	ORDER GRANTING
Solutions, Inc. for Approval of an Adjustment)	WAIVERS IN ORDER
of Rates and Charges for Water and Sewer)	TO ACCEPT
Services.)	APPLICATION

This matter comes before the Public Service Commission of South Carolina (the “Commission”) on a request for the waiver of certain items related to the Application of Total Environmental Solutions, Inc. (“TESI” or the “Company”) for approval of a new schedule of rates and charges for water and sewerage. TESI requests temporary waivers from the requirements of filing with the Application the most recent letter of approval from the South Carolina Department of Health and Environmental Control (“DHEC”). See 26 S.C. Code Regs. 103-512.4(A) and 103-712.4(A) (Supp. 2003). TESI states that it is currently working with DHEC to obtain consent orders and/or operating permits clearly setting forth schedules for accomplishing necessary upgrades to the Foxwood Hills’ water and sewer systems. TESI further states that if the waiver is granted, TESI will furnish these documents as soon as the documents are finalized.

Upon examination of this matter, the Commission finds sufficient and good cause to grant the waiver. TESI is working with DHEC to obtain the required operating permits. We find that the public interest will be served by granting the requested waiver and by accepting the Application. However, we do hold that acceptance of TESI’s Application is

conditional upon TESI furnishing to the Commission the consent orders and/or operating permits clearly setting forth schedules for accomplishing necessary upgrades to the Foxwood Hills' water and sewer systems as soon as the consent orders and/or operating permits are finalized. Further, the required DHEC documents shall be furnished to this Commission, and other parties, by the date on which TESI is required to submit its prefiled testimony to the Commission.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The requirement that TESI file with its rate case Application the most recent letter of approval from DHEC is hereby temporarily waived, and TESI's rate case Application is accepted conditional upon TESI furnishing to the Commission the consent orders and/or operating permits clearly setting forth schedules for accomplishing necessary upgrades to the Foxwood Hills' water and sewer systems by the date on which TESI is required to submit its prefiled testimony to the Commission.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)